

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

## **ORDER**

Before the Court is Defendant's Motion to Dismiss Indictment with Prejudice (Doc. 21), the Government's response (Doc. 22), and the Magistrate's Report and Recommendation (Doc. 23). Neither party has filed an objection to the Magistrate's Report and Recommendation and the time to do so has passed. Upon careful and independent review of the motion to dismiss, the briefs filed by the parties, and the applicable law, the Court **ADOPTS** the Magistrate's Report and Recommendation (Doc. 23) in full. For the reasons articulated herein and in the Magistrate's Report and Recommendation, the Court **ORDERS** that this matter be **DISMISSED WITHOUT PREJUDICE**.

## IT IS SO ORDERED.

DATE: October 10, 2012

/s/ Richard E. Dorr